

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 18-CR-120 (ADM/KMM)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**DEFENDANT'S PRETRIAL
MOTION FOR DISCOVERY**

DWIGHT FREDERICK BARNES,

Defendant.

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, Defendant Dwight Frederick Barnes moves this Court for an order requiring the government to permit defense counsel to inspect, copy, photograph, or scientifically analyze the following items within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government:

1. All oral, written, or recorded statements made by the defendant, inculpatory or exculpatory, including recorded grand jury testimony;
2. The substance of any oral statement which the government intends to offer into evidence at trial made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be a government agent;
3. All books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof;

4. The results or reports of physical or mental examinations, and of scientific tests or experiments (including polygraph examinations), or copies thereof;

5. A copy of the defendant's prior criminal record, if any.

The requests contained herein include a continuing duty to disclose if, prior to or during trial, the government discovers additional evidence or material previously requested or ordered which is subject to discovery and inspection under Rule 16.

This motion is based upon all files, records and proceedings herein.

Dated: November 15, 2018

Respectfully submitted,

s/ Andrew S. Garvis

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